

RECEIVED  
CENTRAL FAX CENTER

FEB 20 2007

**FAX TRANSMISSION**

DATE: February 20, 2007

PTO IDENTIFIER: Application Number 10/823,089-Conf. #3168

Patent Number

Inventor: Signe E. Varner et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: EDWARDS ANGELL PALMER &amp; DODGE LLP

Lisa Swiszez Hazzard

PHONE: (617) 439-4444

Attorney Dkt. #: 56086-CON2 (71699)

PAGES (Including Cover Sheet): 11

**CONTENTS:** Amendment Transmittal (1 page);  
Response to Office Action and Notice of Non-Compliant (8 pages);  
Certificate of Transmission (1 page).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 439-4444 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

EDWARDS ANGELL PALMER & DODGE LLP  
P.O. Box 55874, Boston, Massachusetts 02206  
Telephone: (617) 439-4444 Facsimile: (617) 439-4170

HTO/SIV97 (02-04)

Approved for use through 07/31/2006, OMB 0551-0031

U. S. Patent and Trademark Office, U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

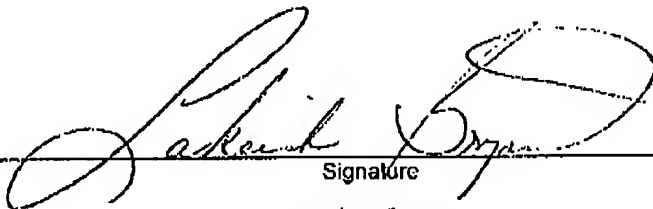
Application No. (if known): 10/823,089

Attorney Docket No.: 56086CON2 (71699)

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on February 20, 2007  
Date

  
Signature

Lakeisha Bryant

Typed or printed name of person signing Certificate

\_\_\_\_\_  
Registration Number, if applicable

(617) 439-4444  
Telephone Number

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Amendment Transmittal (1 page);  
Response to Office Action and Notice of Non-Compliant (8 pages).

**BEST AVAILABLE COPY**

<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. 56086CON2 (71699)	
Application No. 10/823,089-Conf. #3168	Filing Date April 12, 2004	Examiner B. Huh	Art Unit 3767		
Applicant(s): Signe E. Varner et al.					
Invention: DEVICES FOR INTRAOCULAR DRUG DELIVERY					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	24	- 24 =	0	x 50.00	0.00
Independent Claims	3	- 3 =	0	x 200.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00
<input checked="" type="checkbox"/> Large Entity <span style="margin-left: 200px;"><input type="checkbox"/> Small Entity</span>					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1105</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
Lisa Swiszczy Hazzard Attorney/Agent Reg. No. 44,868					Dated: <u>February 20, 2007</u>
EDWARDS ANGELL PALMER & DODGE LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 439-4444					

Attorney Docket No. 56086CON2 (71699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

FEB 20 2007

In re the application of: Varner et al.

Application No.: 10/823,089

Examiner: Benjamin Huh

Filed: April 12, 2004

Group Art Unit: 3767

For: DEVICES FOR INTRAOCULAR DRUG DELIVERY

---

RESPONSE TO OFFICE ACTION AND NOTICE OF NON-COMPLIANT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Office Action of July 24, 2006 and Notice of Non-Compliant of February 9, 2007.

Amendments to the claims begin on page 2.

Remarks begin on page 6.